

**REMARKS**

**Drawings:**

Applicant thanks the Examiner for indicating that the drawings filed on October 29, 2001 have been accepted.

**Information Disclosure Statement:**

Applicant thanks the Examiner for initialing and returning the Form PTO-1449 filed April 3, 2001, thus indicating that all of the references listed thereon have been considered.

**Election/Restriction:**

Applicant also thanks the Examiner for acknowledging Applicant's provisional election of Group II, containing claims 20-25, without traverse. Applicant hereby affirms this election without traverse.

Further, Applicant notes that consistent with this election, Applicant has cancelled claims 1-19 and 26-30 without prejudice or disclaimer.

**Specification:**

Applicant has discovered two typographical errors within the written description of the above referenced application, and hereby submits two amendments to the specification as shown in the attached Appendix. Entry of these amendments is respectfully requested. Applicant submits that no new matter has been submitted.

**Claim Amendments:**

Applicant has amended claims 22-25 as shown in the attached Appendix to clarify the claimed invention, and Applicant submits that these amendments in no way narrow the original scope or spirit of these claims.

**Claim Rejections:**

Claims 20-25 are the only claims that have been examined, and all of claims 20-25 stand rejected.

***35 U.S.C. § 102(b) Rejection - Claims 20, 21, 23 and 25:***

Claims 20, 21, 23 and 25 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,703,983 to Beasley Jr. In view of the following discussion, Applicant respectfully disagrees.

With regard to binders, Beasley discloses using markings **M** on cable cores, binders and/or marked tape to allow a cable technician to be able to locate a ROL juncture when attempting to obtain mid-span access into a fiber optic cable. *See* Beasley, col. 2, lines 59-63 and col. 4, lines 27-33. However, Applicant submits that there is no disclosure of any kind of having a binder with a detectable feature, which is detectable by an automated detection system during the installation of the binder. Because of this deficiency, Applicant notes that Beasley fails to disclose each and every feature of the claimed invention.

Therefore, Applicant submits that Beasley fails to anticipate the claimed invention as set forth in at least claim 20, and hereby requests the Examiner reconsider and withdraw the above 35 U.S.C. § 102(b) rejection of this claim. Further, Applicant submits that because claims 21, 23 and 25 depend on claim 20, Applicant submits that these claims are also allowable, at least by reason of their dependency.

***35 U.S.C. § 103(a) Rejection - Claims 22 and 24:***

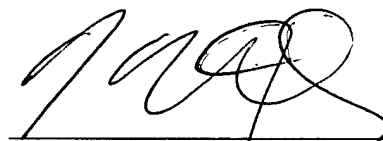
Claims 22 and 24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Beasley in view U.S. Patent No. 5,809,194 to Lovie. However, since claims 22 and 24 depend on claim 20, and because Lovie fails to cure the deficient teachings of Beasley, Applicant submits that these claims are also allowable, at least by reason of their dependency.

**Conclusion:**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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PATENT TRADEMARK OFFICE

Date: March 11, 2003

**APPENDIX**  
**VERSION WITH MARKINGS TO SHOW CHANGES MADE**  
**IN THE SPECIFICATION:**

**The specification is changed as follows:**

**On page 3, please amend the paragraph continuing from page 2, with the following correction:**

Manufacturing fiber optic cables has increasingly developed into an automated process. Measuring the length of the binder material necessary for a particular cable design, however, is still a manual process. Traditionally, the binder is manually measured using a ruler or a tape measure. The binder laylength is then calculated by measuring the distance from a first peak on the bound core to a second peak on the bound core, or from one binder center to the next binder center. Manually measuring the binder laylength is therefore a trial and error process. Often, cable portions must be scrapped until an acceptable measurement is ~~isn~~ obtained for the particular cable design.

**On page 5, please amend the first full paragraph, with the following correction:**

A detection system then detects the unique feature associated with the detectable binder. A distance value is calculated in relation the periodic spacing between two detected points on the physically detectable binder. The distance value is fed into a closed feed back loop. A PLC receives status data from the closed feedback loop and compares the received data to a stored laylength parameter. The stored laylength value also includes a tolerance. If the received data does not match the stored parameter (or fall within the tolerance), an error signal is transmitted to an algorithm stored in ~~the~~ a binder adjustment unit. This unit may be any unit that controls the

adjustment of the binder laylength. Examples of these adjustment units include, but are not limited to: a binder head speed control unit that spins the binder head faster to lay more binder in a shorter period of time and a main line speed control unit that increases the main line speed and thus spreads out the lay between binders. The algorithm thereby adjusts the binder head speed and/or line speed accordingly. This process repeats until the desired input laylength is detected by the detection system.

**IN THE CLAIMS:**

**Claims 1-19 and 26-30 have been cancelled without prejudice or disclaimer.**

**The claims are amended as follows:**

20. (Amended) A fiber optic cable binder comprising:

a flexible material; and

a physically detectable feature within the flexible material,

wherein said physically detectable feature is detected by an automated detection system during installation of said binder.

21. (Amended) The fiber optic cable binder of Claim 20, wherein said detectable feature is repeated at a regular interval along a length of said binder ~~wherein the binder's detectable feature is detected by a detection system.~~

22. (Amended) The fiber optic cable binder of Claim 20, wherein the ~~binder's~~ physically detectable feature is a fluorescing element.

23. (Amended) The fiber optic cable binder of Claim 20, wherein the ~~binder's~~ physically detectable feature is a color.

24. (Amended) The fiber optic cable binder of Claim 20, wherein the ~~binder's~~ physically detectable feature is a magnetic or metal strip.

25. (Amended) The fiber optic cable binder of Claim 20, wherein the ~~binder's~~ physically detectable feature is an identifiable marking.

**Claims 31-51 are added as new claims.**